REMARKS

Claims 1-8 and 10-30 are rejected in the final Office Action. Claims 1, 7, 22, and 29 are amended, and claims 2, 19-21, 23, and 26-28 are cancelled. Accordingly, claims 1, 3-8, 10-18, 22, 24, 25, 29, and 30 remain pending.

AMENDMENTS

Support for the amendments may be found at least in paragraphs 30-36 (pages 11-14) of the originally-filed Specification, the descriptions in those paragraphs corresponding to Figure 4. Thus, Applicants respectfully submit that no new matter has been introduced.

REJECTIONS UNDER 35 USC §103

1.   In "Claim Rejections – 35 USC §103" on page 2 of the above-cited final Office Action, the Examiner rejects claims 1, 3-6, 8, 10-18, 22, 24, and 25 as being unpatentable over U.S. Patent No. 7,155,425 to *Nykanen* (hereinafter "Nykanen") in view of U.S. Patent No. 6,757,706 to *Dong et al.* (hereinafter "Dong") under 35 USC §103(a).

Amended claim 1 recites a "method for an intermediary device to provide responses to discovery requests for services when a registry of services is unavailable, comprising:

receiving, by the intermediary device, from a client a discovery request for a service;

determining, by the intermediary device, whether the registry is unavailable, the determining including determining an online client state or offline client state of the client indicative of whether the client is communicatively coupled with the registry;

altering, by the intermediary device, the discovery request into a modified request appearing to originate from the intermediary; and

if the registry is determined to be unavailable, queuing, by the intermediary device, the modified discovery request for delivery to the registry when it becomes

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available, and <u>providing, by the intermediary device, to the client a dummy response to the request indicating the service is available, the dummy response indicating that a pseudo service provider is available to perform the requested service to enable the client to issue service requests of the pseudo service provider</u>."

Thus, when properly read as a whole, amended claim 1 stands for a method implemented by an intermediary device of providing a dummy response to an offline client identifying a pseudo service provider, spoofing a response from a registry which might have identified a "real" service provider. By providing a dummy response identifying a pseudo service provider, amended claim 1 "enable[s] the client to issue service requests of the pseudo service provider", regardless of whether the client is in an online or offline state. An advantage provided by this method is that the client may issue service requests while still offline, which may then be forwarded to a "real" service provider when the client enters an online client state, thereby allowing the client to receive a service response in a shorter amount of time than if the client had been required to wait until it entered an online state to issue the service requests.

In contrast, as recognized by the Examiner on page 8, neither Nykanen nor Dong teach "providing … a dummy response", as is now recited amended claim 1. At best, Nykanen and Dong teach a UDDI registry and an offline server capable of responding to client service requests while the client is in an offline state. The response provided to the client while in an offline state, however, is not a dummy response identifying a pseudo service provider (as claimed by amended claim 1), but is instead a response by the offline server of Dong including cached content to fulfill the service request, the cached content response being associated with that request, the request having previously been made in an online state (Dong, col. 8, line 31 through col. 11, line 36). Thus, the response taught by Dong and Nykanen is not a dummy response and does not indicate that a pseudo service provider is available to perform the requested service.

To remedy the above discussed deficiencies of Dong and Nykanen with respect to providing a dummy response (which was previously claimed by now-cancelled claim 2), the Examiner cited Freed (see citation of Freed below) as teaching an intermediary providing a dummy response. Freed teaches an intermediary device which interfaces with and establishes a connection with a client, the client seeking secure communication with a server. Freed teaches the intermediary responding to the client's request for connection to a server, with a SYN+ACK response, indicating that the connection was successfully established. Freed does not teach that this response is a "dummy response" (i.e., a response that the client believes is from the server the client initially attempted to contact). However, even if one assumes for the sake of argument that Freed suggests such a dummy response, nothing in Freed teaches or suggests that the response indicates "that a pseudo service provider is available to perform the requested service to enable the client to issue service requests of the pseudo service provider", as is claimed by amended claim 1.

At best, Nykanen, Dong, and Freed suggest an intermediary device responding to a service request of an offline client with a dummy response. Nothing in these references suggests that the response indicates that a pseudo service provider is available to perform the requested service, as is now claimed by amended claim 1. To establish a prima facie obviousness rejection, the Examiner must show where in the combined references support may be found, in the form of teaching or suggestion, for each limitation. Nykanen, Dong, and Freed simply do not teach or suggest "the dummy response indicating that a pseudo service provider is available to perform the requested service to enable the client to issue service requests of the pseudo service provider", as is claimed in amended claim 1. Accordingly, amended claim 1 is patentable over Nykanen, Dong, and Freed under §103.

Independent, amended claims 22 and 29 include in substance the same recitations as described above for amended claim 1. Thus, for at least the above stated reasons, claims 22 and 29 are patentable over Nykanen, Dong, and Freed under §103.

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Claims 3-6, 8, 10-18, 24, and 25 depend from claims 1 and 22, respectively, incorporating their limitations. Thus, for at least the same reasons discussed above, claims 3-6, 8, 10-18, 24, and 25 are patentable over Nykanen, Dong, and Freed under §103.

2.   In "Claim Rejections – 35 USC §103" on page 8 of the above-cited final Office Action, the Examiner rejects claims 2, 7, 19-21, 23, and 26-30 as being unpatentable over Nykanen in view of Dong and further in view of U.S. Patent No. 7,149,892 to *Freed et al.* (hereinafter "Freed") under 35 USC §103(a).

Claims 2, 19-21, 23, and 26-28 have been cancelled. Accordingly, Applicants respectfully submit that the rejections of those claims are obviated.

Amended claim 29 includes limitations similar to those of amended claim 1. Accordingly, for at least the same reasons that amended claim 1 is patentable over Nykanen, Dong, and Freed, amended claim 29 is also patentable over Nykanen, Dong, and Freed under §103

Claims 7 and 30 are dependent on amended claims 1 and 29, respectively, incorporating their limitations. Therefore, for at least the same reasons discussed above, claims 7 and 30 are patentable over Nykanen, Dong, and Freed, alone or in combination, under §103.

Conclusion

Applicants respectfully assert that claims 1, 3-8, 10-18, 22, 24, 25, 29, and 30 are in condition for allowance. Entry of the foregoing is respectfully requested and a Notice of Allowance is earnestly solicited. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

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